

107-712

EXECUTIVE ORDER

(31)

Providing for the Establishment
of the
Council of National Defense
and a
Unified Intelligence Service

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CND (S/S
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By virtue of the authority vested in me by Title I of the First War Powers Act, (55 Stat. 838 50 US Code 601, Supp. IV), and other applicable statutes, as President of the United States, and Commander-in-Chief of the Army and the Navy, it is hereby ordered as follows:

TITLE I

Establishment of a Council of National Defense

1. There is hereby established a Council of National Defense (hereinafter referred to as the "Council"). The Council shall consist of the Secretary of State who shall serve as Chairman, the Secretary of War and the Secretary of the Navy. The Chief of Staff of the United States Army and the Chief of Naval Operations of the United States Navy shall be the principal military advisers to the Council and, when invited by the Council, shall attend its meetings.

2. Subject to the control and direction of the President and Commander-in-Chief, the Council shall:

- (a) Maintain continuing scrutiny and review of world-wide political economic and military developments; currently evaluate the effect or implications of such developments, with respect to the national policies of the United States, its vital interests and the national security; give due and timely weight to such evaluations in the formulation, execution and correlation of national foreign and military policies;
- (b) Formulate and submit to the President such recommendations with respect to foreign or military policy, or pertaining to the national security, as the Council may consider necessary or proper;
- (c) Review proposed or existing legislation relating to foreign or military policy or pertaining to the national security and, subject to the approval of the President, recommend such additional, alternative or amendatory legislation as, in the opinion of the Council, appears necessary or desirable.

3. The Council shall have an Executive Officer who shall be appointed by the Chairman and an appropriate Secretariat. Each member of the Council shall designate an alternate with full powers to act in the event of the absence or disability of the member. The Council shall fix the form of its organization, prescribe the time and place of its meetings and shall establish and regulate its rules of conduct and procedures.

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State Dept. - INR Records, Lot 58 D-776. Bldg. Intell. Agency
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TITLE II

Unified Intelligence Service

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Director (civilian
appointed by Pres)

1. To coordinate the policies and activities of the government with respect to foreign intelligence, there is hereby established, within and subject to the control and direction of the Council, a Unified Foreign Intelligence Service (hereinafter referred to as the "Service"). The Service shall be headed by a civilian Director who shall be appointed by the President.

2. Subject to policies prescribed by the Council and under its direction and control, the Director shall:

- (a) Establish such policies and objectives as will assure the integration of foreign intelligence efforts.
- (b) Coordinate the functions of all foreign intelligence agencies of the government.
- (c) Collect, either directly or through existing government departments and agencies, all foreign intelligence pertinent and relevant to the national security of the United States or bearing on its national policies and interests.
- (d) Submit to the Council definitive evaluations of such foreign intelligence for consideration and appropriate action.
- (e) Perform such other functions and duties relating to foreign intelligence as the Council, from time to time, may direct.

3. All government departments and agencies shall make available to the Director such foreign intelligence material as the Director, with the approval of the Council, may from time to time request.

4. Subject to the approval of the Council, the Director may provide for the internal organization and management of the Service and its relationships with other foreign intelligence agencies of government.

5. Departments and agencies of government concerned with the gathering and analysis of foreign intelligence shall continue their normal activities with respect thereto, subject, however, to the provisions of this order.

TITLE III

General Provisions

1. The functions of the Office of Strategic Services heretofore transferred to the War Department and the Department of State, respectively, pursuant to the provisions of Executive Order 9621, 21 September 1945, are hereby transferred to the Council together with the civilian personnel, property, funds and records of said office. Naval and military personnel now on duty in connection with such functions hereby transferred may, subject to the applicable provisions of law, and to the extent mutually agreeable to the Secretary of State, the Secretary of War and the Secretary of the Navy, as the case may be, continue such duty with the Council.

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2. The Council, within the limits of funds which may be made available, may employ and fix the compensation of all necessary technical, professional and clerical personnel (other than military and naval personnel) and make provision for supplies, facilities and services necessary to discharge its responsibilities under this order, provided however, that the Director of the Unified Intelligence Service shall be appointed, and his compensation fixed, by the President.

3. The Council, if it deems it necessary, may direct that any policy formulated by it under this Order shall be executed by any other department or agency provided that such action is within the scope of the general powers of such department or agency.

4. To the extent that the provisions of Executive Order 9621, 21 September 1945, are consistent with the terms and purpose hereof they are incorporated herein by reference; any inconsistent provisions of said order or any provisions of any prior order of the President in conflict with the provisions and purpose hereof are modified accordingly.

Effective the day of October 1945.

The White House

October 1945

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